

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LOUIS LOPEZ DIAZ,
Plaintiff,
-against-
DOLLAR N DISCOUNT LLC, et al.,
Defendants.

22-CV-6139 (JHR) (OTW)

MEDIATION REFERRAL ORDER

ONA T. WANG, United States Magistrate Judge:

IT IS ORDERED that this *pro se* case is referred for mediation to the Court's Mediation Program. Local Civil Rule 83.9 and the Mediation Program Procedures shall govern the mediation.

IT IS FURTHER ORDERED that the Clerk of Court shall attempt to locate *pro bono* counsel to represent Defendant at the mediation. *Pro bono* counsel will contact Defendant directly.¹ The time to assign a mediator under Local Civil Rule 83.9 and the Court's Mediation Program Procedures will be deferred until *pro bono* counsel has filed a Notice of Limited Appearance of Pro Bono Counsel. *Pro bono* counsel will represent Defendant solely for purposes of the mediation, and that representation will terminate at the conclusion of the mediation process.

IT IS FURTHER ORDERED that any objection by Defendant either to the mediation or to the Court's request for *pro bono* counsel to represent Defendant in the mediation must be filed

¹ Because volunteer attorneys are a scarce resource, *pro se* litigants are not entitled to their choice of *pro bono* counsel. Cf. *Cooper v. Sargent*, 877 F.2d 170, 172-73 (2d Cir. 1989). If Defendant chooses not to work with the volunteer attorney or law-school clinic that reaches out to Defendant, Defendant's options are to obtain counsel on his or her own or proceed *pro se* in all aspects of this matter including mediation.

within 14 days of this order.

The case is stayed pending mediation. A joint status letter must be filed within one week of the conclusion of the mediation, and in no event later than **April 28, 2023**.

SO ORDERED.

Dated: January 25, 2023
New York, New York

s/ Ona T. Wang
Ona T. Wang
United States Magistrate Judge